



General Assembly

Substitute Bill No. 5789

February Session, 2000

An Act Concerning The Tobacco Settlement Fund, The Tobacco And Health Trust Fund And A Tobacco Abuse Reduction And Health Plan.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 26 of public act 99-2 of the June special session is
2 repealed and the following is substituted in lieu thereof:

3 (a) There is created a Tobacco Settlement Fund which shall be a
4 separate nonlapsing fund. Any funds received by the state from the
5 Master Settlement Agreement executed November 23, 1998, shall be
6 deposited into the fund.

7 (b) The Treasurer is authorized to invest all or any part of the
8 Tobacco Settlement Fund and all or any part of the Tobacco and Health
9 Trust Fund created in section 27 of public act 99-2 of the June special
10 session, as amended by this act. The interest derived from any such
11 investment shall be credited to the resources of the fund from which
12 the investment was made.

13 (c) For the fiscal years ending June 30, 2000, and June 30, 2001,
14 [annual] disbursements from the Tobacco Settlement Fund shall be
15 made [as follows: (1) First] first to the General Fund in the amount
16 identified as "Transfer from Tobacco Settlement Fund" in the General
17 Fund revenue schedule adopted by the General Assembly, [;] and [(2)]
18 second to the Tobacco and Health Trust Fund in an amount equal to

19 twenty million dollars. For the fiscal year ending June 30, 2002, and
20 each fiscal year thereafter, disbursements from the Tobacco Settlement
21 Fund shall be made as follows: (1) To the Tobacco and Health Trust
22 Fund in an amount equal to at least fifteen per cent of the total amount
23 of funds received in the current year from the Master Settlement
24 Agreement; (2) to the General Fund in the amount identified as
25 "Transfer from Tobacco Settlement Fund" in the General Fund revenue
26 schedule adopted by the General Assembly; and (3) such other
27 disbursements or transfers as may be authorized by the General
28 Assembly.

29 [(d) Notwithstanding the provisions of subdivision (2) of subsection
30 (c) of this section, for]

31 (d) For the fiscal year ending June 30, 2000, five million dollars shall
32 be disbursed from the Tobacco Settlement Fund to a tobacco grant
33 account to be established in the Office of Policy and Management.
34 Such funds shall not lapse on June 30, 2000, and shall continue to be
35 available for expenditure during the fiscal year ending June 30, 2001.

36 (e) [Grants] Tobacco grants shall be made from the account
37 established pursuant to subsection (d) of this section by the Secretary
38 of the Office of Policy and Management in consultation with the
39 speaker of the House of Representatives, the president pro tempore of
40 the Senate, the majority leader of the House of Representatives, the
41 majority leader of the Senate, the minority leader of the House of
42 Representatives, the minority leader of the Senate, and the
43 cochairpersons and ranking members of the joint standing committees
44 of the General Assembly having cognizance of matters relating to
45 public health and appropriations and the budgets of state agencies, or
46 their designees. Such grants shall be used to reduce tobacco abuse
47 through prevention, education, cessation, treatment, enforcement and
48 health needs programs.

49 Sec. 2. Section 27 of public act 99-2 of the June special session is
50 repealed and the following is substituted in lieu thereof:

51 (a) There is created a Tobacco and Health Trust Fund which shall be
52 a separate nonlapsing fund. The purpose of the trust fund shall be to
53 create a continuing significant source of funds to (1) support and
54 encourage development of programs to reduce tobacco abuse through
55 prevention, education and cessation programs, (2) support and
56 encourage development of programs to reduce substance abuse, and
57 (3) develop a plan to meet the unmet physical and mental health needs
58 in the state.

59 (b) The trust fund may accept transfers from the Tobacco Settlement
60 Fund and may apply for and accept gifts, grants or donations from
61 public or private sources to enable the trust fund to carry out its
62 objectives.

63 (c) The trust fund shall be administered by a board of trustees which
64 shall consist of sixteen trustees. The appointment of the initial trustees
65 shall be as follows: (1) The Governor shall appoint four trustees, one of
66 whom shall serve for a term of one year from July 1, 2000, two of
67 whom shall serve for a term of two years from July 1, 2000, and one of
68 whom shall serve for a term of three years from July 1, 2000; (2) the
69 speaker of the House of Representatives and the president pro tempore
70 of the Senate each shall appoint two trustees, one of whom shall serve
71 for a term of two years from July 1, 2000, and one of whom shall serve
72 for a term of three years from July 1, 2000; (3) the majority leader of the
73 House of Representatives and the majority leader of the Senate each
74 shall appoint two trustees, one of whom shall serve for a term of one
75 year from July 1, 2000, and one of whom shall serve for a term of three
76 years from July 1, 2000; and (4) the minority leader of the House of
77 Representatives and the minority leader of the Senate each shall
78 appoint two trustees, one of whom shall serve for a term of one year
79 from July 1, 2000, and one of whom shall serve for a term of two years
80 from July 1, 2000. Following the expiration of such initial terms,
81 subsequent trustees shall serve for a term of three years. The trustees
82 shall serve without compensation except for reimbursement for
83 necessary expenses incurred in performing their duties. The board of
84 trustees shall establish rules of procedure for the conduct of its

85 business which shall include, but not be limited to, criteria, processes
86 and procedures to be used in selecting programs to receive money
87 from the trust fund. The trust fund shall be within the Office of
88 Legislative Management for administrative purposes only.

89 (d) (1) During the period commencing July 1, 2000, and ending June
90 30, 2005, the board of trustees, by majority vote, may recommend
91 authorization of disbursement from the trust fund for the purposes
92 described in section 3 of this act, provided the board may not
93 recommend authorization of disbursement of more than fifty per cent
94 of net earnings from the principal of the trust fund for such purposes.
95 The board's recommendations shall give (A) priority to programs that
96 address tobacco and substance abuse and serve minors, pregnant
97 women and parents of young children, and (B) consideration to the
98 availability of private matching funds. Recommended disbursements
99 from the trust fund shall be in addition to any resources that would
100 otherwise be appropriated by the state for such purposes and
101 programs.

102 (2) The board of trustees shall submit such recommendations for the
103 authorization of disbursement from the trust fund to the joint standing
104 committees of the General Assembly having cognizance of matters
105 relating to public health and appropriations and the budgets of state
106 agencies. Not later than thirty days after receipt of such
107 recommendations, said committees shall advise the board of their
108 approval, modifications, if any, or rejection of the board's
109 recommendations. If said joint standing committees do not concur, the
110 speaker of the House of Representatives, the president pro tempore of
111 the Senate, the majority leader of the House of Representatives, the
112 majority leader of the Senate, the minority leader of the House of
113 Representatives and the minority leader of the Senate each shall
114 appoint one member from each of said joint standing committees to
115 serve as a committee on conference. The committee on conference shall
116 submit its report to both committees, which shall vote to accept or
117 reject the report. The report of the committee on conference may not be
118 amended. If a joint standing committee rejects the report of the

119 committee on conference, the board's recommendations shall be
120 deemed approved. If the joint standing committees accept the report of
121 the committee on conference, the joint standing committee having
122 cognizance of matters relating to appropriations and the budgets of
123 state agencies shall advise the board of said joint standing committees'
124 approval or modifications, if any, of the board's recommended
125 disbursement. If said joint standing committees do not act within thirty
126 days after receipt of the board's recommendations for the
127 authorization of disbursement, such recommendations shall be
128 deemed approved. Disbursement from the trust fund shall be in
129 accordance with the board's recommendations as approved or
130 modified by said joint standing committees.

131 (3) After such recommendations for the authorization of
132 disbursement have been approved or modified pursuant to
133 subdivision (2) of this subsection, any modification in the amount of an
134 authorized disbursement in excess of fifty thousand dollars or ten per
135 cent of the authorized amount, whichever is less, shall be submitted to
136 said joint standing committees and approved, modified or rejected in
137 accordance with the procedure set forth in subdivision (2) of this
138 subsection. Notification of all disbursements from the trust fund made
139 pursuant to this section shall be sent to the joint standing committees
140 of the General Assembly having cognizance of matters relating to
141 public health and appropriations and the budgets of state agencies,
142 through the Office of Fiscal Analysis.

143 (4) The board of trustees shall, not later than February first of each
144 year, submit a report to the General Assembly, in accordance with the
145 provisions of section 11-4a of the general statutes, that includes all
146 disbursements and other expenditures from the trust fund and an
147 evaluation of the performance and impact of each program receiving
148 funds from the trust fund. Such report shall also include the criteria
149 and application process used to select programs to receive such funds.

150 Sec. 3. (NEW) The Commissioner of Public Health, in consultation
151 with the Commissioners of Mental Health and Addiction Services,

152 Education and Consumer Protection, shall develop a Tobacco Abuse
153 Reduction and Health Plan and shall submit such plan to the joint
154 standing committees of the General Assembly having cognizance of
155 matters relating to public health and appropriations and the budgets of
156 state agencies, not later than January 1, 2003. The plan shall consider
157 and recommend actions to (1) reduce tobacco and substance abuse,
158 and (2) address the unmet physical and mental health needs of the
159 state, taking into account the Health Needs 2000 report.

160 Sec. 4. This act shall take effect from its passage.

PH	Committee Vote:	Yea	25	Nay	0	JFS
APP	Committee Vote:	Yea	44	Nay	0	JF
FIN	Committee Vote:	Yea	43	Nay	0	JF
GAE	Committee Vote:	Yea	21	Nay	0	JF
LM	Committee Vote:	Yea	17	Nay	0	JF